

Notice of Allowability

Application No.

09/643,321

Examiner

Yemane M Gerezgiher

Applicant(s)

CHEN ET AL.

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/28/2004.
2. ☒ The allowed claim(s) is/are 1-32.
3. ☒ The drawings filed on 22 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

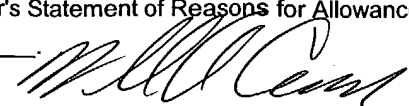
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

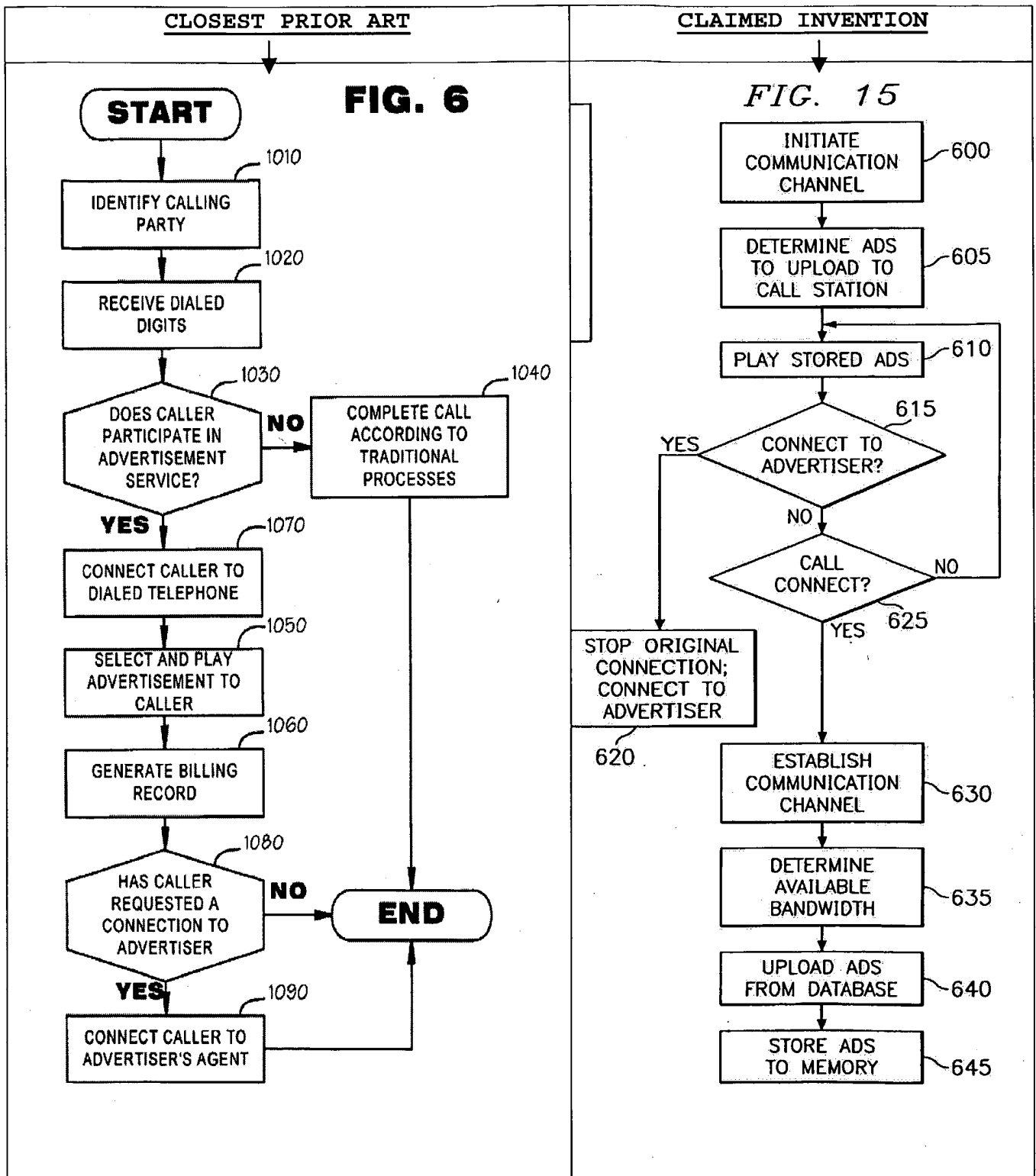
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WILLIAM A. CUCHLINSKI, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2400

REASON FOR ALLOWANCE

1. Claims 1-32 are allowed.
2. The following is an examiner's statement of reasons for allowance:

The closest prior art is a pre-published application (US 2001/0048737 A1), in this published application, the inventive entity (Goldberg et al. hereinafter Goldberg) discloses a method and apparatus of providing advertisement supported voice communication. As part of the call set up process, the central office switch of the telecommunication system determines whether a call initiator initiating a call from a first station to a second station is a participant in the advertisement supported telecom service and upon the verification the central office switch plays targeted advertisement message to the user initiating the call if verified to be a participant in the program or simply establish the voice connection between the first station and the second station as it is known in the art. See Figure 6 below and Page 2, Paragraphs [0020]-[0028].



However, none of the prior art of record taken singularly or in combination taught or suggested a method or system of providing targeted information/message by playing stored information at the first station in response to a first station initiating a voice communication with a second station in combination with transmitting the information to be stored in the memory of the first station in a transmission rate in response to available bandwidth between the first station and a server or database determined by a module stored at the first station as presented in claims 1, 15 and 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on a Statement of Reasons for Allowance."

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yemane M Gerezgiher whose telephone number is 703-305-4874 or new number is (571) 272-3927 effective October 27, 2004. The examiner can normally be reached on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William JR Cuchlinski

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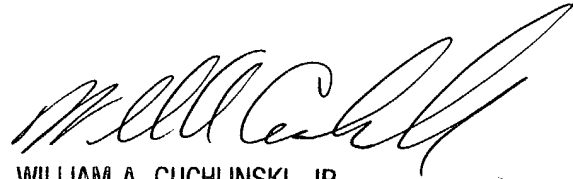
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(Bill) can be reached on (703) 308-3873 or (571) 272-3925 effective October 27, 2004. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

YMG

TC 2100, AU 2144



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